

STATE OF ILLINOIS)
) SS
COUNTY OF SANGAMON)

EPA Region 5 Records Ctr.



323225

DOCKET NO. SWB 69-91
IN RE: Chicago River and
Calumet River Systems-Parties
in Violation of Water Quality
Standards, SWB-15

Pursuant to written notice as required by Section 5 of the Sanitary Water Board Act of 1951 as amended (Par. 145.5, Ch. 19, Ill. Rev. Stat. 1967), a meeting of the Sanitary Water Board, with a quorum present, was held on October 7, 1969, and the Board did pass the motion and adopt the resolution as follows:

MOTION AND RESOLUTION

- WHEREAS, Water Quality Standards for Interstate waters, Chicago River and Calumet River Systems and Calumet Harbor Basin, following approval by the United States Department of Interior, were approved by the Sanitary Water Board March 5, 1968 and made effective April 1, 1968 as Rules and Regulations SWB-15, and
- WHEREAS, Rule 1.70, Paragraph 10, specifies Treatment Requirements and Effluent Criteria, and Paragraph 12 prescribes Guidelines Regarding Range of Treatment, and
- WHEREAS, Rule 1.07, Paragraph 6, of said Water Quality Standards, SWB-15, requires adequate treatment for removal of contaminants by September 30, 1969, and
- WHEREAS, Section 16 of the Sanitary Water Board Act of 1951, as amended (Par. 145.17, Ch. 19, Ill. Rev. Stat. 1967) directs that the Sanitary Water Board shall adopt and enforce water quality standards in any existing sanitary district having a population of 1,000,000 or more, and authorizes the Attorney General to commence actions in any appropriate court to stop pollution, and
- WHEREAS, Section 13 of the Act of 1951 as amended by HB 1995, 76th General Assembly, approved June 25, 1969 (Par. 145.13, Ch. 19, Ill. Rev. Stat. 1967), provides that any person who shall violate any of the provisions of, or fails to perform any duty imposed by this Act, or who violates any determination or order of the Board, promulgated pursuant to this Act, shall be liable to a penalty not to exceed the sum of \$5,000 for said violation and an additional penalty not to exceed \$200 for each day during which the violation continues, or by imprisonment in the county jail for a period not to exceed six months, or by both fine and imprisonment; and in addition thereto, such person may be enjoined from continuing said violation as hereinafter provided, and that the penalties shall be recoverable in an action brought in the name of the people of the State of Illinois by the Attorney General, and
- WHEREAS, the Metropolitan Sanitary District of Greater Chicago, a district having a population of 1,000,000 or more, has the responsibility of obtaining proper treatment or control of wastes within its corporate boundaries to meet State standards, and
- WHEREAS, information, including physical observation, results of samples collected by representatives of the Board, and other reports and data, evidence non-compliance with Water Quality Standards, SWB-15 as of September 30, 1969 by the following parties:

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Cargill Incorporated;
Cosden Oil & Chemical Co.;
(formerly Gulf Oil Co. and Spencer Chemical Co.)
Interlake Steel Corporation - Chicago Plant;
Interlake Steel Corporation - Riverdale Plant;
Republic Steel Corporation;
United States Steel Corporation - South Works;
Wisconsin Steel Works.

THEREFORE, I, A. L. Sargent, a member of the Sanitary Water Board, move
that the following resolution be entered:

RESOLUTION

BE IT RESOLVED, That the Attorney General is hereby requested and authorized by
virtue of Sections 7, 13, 14 and 16 of the Sanitary Water Board Act as
amended June 25, 1969 (Par. 145.7, 145.13, 145.14 and 145.17, Ill. Rev.
Stat. 1967) to bring appropriate action or actions for mandamus, injunction,
and/or penalty against the Metropolitan Sanitary District of Greater Chicago
and the following listed industries, which have discharges to the Calumet
River System, for violation of Water Quality Standards, Rules and Regula-
tions SWB-15, through failure to obtain effluent quality, stream water
quality, or to provide adequate treatment or control facilities by
September 30, 1969; the compliance date specified by said regulations:

Cargill Incorporated;
Cosden Oil & Chemical Co.;
(formerly Gulf Oil Co. and Spencer Chemical Co.);
Interlake Steel Corporation - Chicago Plant;
Interlake Steel Corporation - Riverdale Plant;
Republic Steel Corporation;
United States Steel Corporation - South Works;
Wisconsin Steel Works.

SECONDED BY Charles F. Barry.

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VOTING

	<u>Yea</u>	<u>Nay</u>		<u>Yea</u>	<u>Nay</u>
<u>Franklin D. Yoder, M.D., Chairman</u>	<u>X</u>	—	<u>Val Orshel</u>	<u>X</u>	—
For: <u>John W. Lewis</u>	<u>X</u>	—	<u>A. L. Sargent</u>	<u>X</u>	—
<u>Wm. L. Rutherford</u>	<u>✓</u>	—	(Absent)	—	—
Wm. L. Rutherford			C. S. Boruff, Ph. D		

Adopted this 7th day of October, 1969.



ATTEST:

Clarence W. Klassen
Clarence W. Klassen, Technical Secretary
Sanitary Water Board, State of Illinois

Franklin D. Yoder, M.D., Chairman
Sanitary Water Board, State of Illinois

S.W.B.

October 16, 1969

COSDEN OIL AND CHEMICAL CO.
(Gulf Oil - Spencer Chem.)
METROPOLITAN SANITARY DISTRICT OF GREATER CHICAGO
Docket No. SWB 69-99
Water Quality Standards SWB-15

President and Board of Trustees
Metropolitan Sanitary District of Greater Chicago
100 East Erie Street
Chicago, Illinois 60601

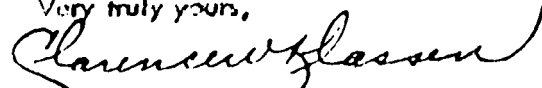
Gentlemen:

You will note from the attached letter of October 16, 1969, and the accompanying resolution in six copies, that the Sanitary Water Board on October 7, 1969 requested the Attorney General to bring appropriate action separately or jointly against the Metropolitan Sanitary District and Cosden Oil and Chemical Co., Calumet City, for failure to comply with the September 30, 1969 date for meeting certain provisions of Water Quality Standards SWB-15, relating to Calumet River.

The Attorney General was requested to include the District in the action because of its responsibility to enforce the standards within the corporate sanitary district boundaries.

Please direct any legal inquiries pertaining to this case to the Attorney General, Supreme Court Building, Springfield, Illinois 62706, or to Room 900 State of Illinois Building, 160 North LaSalle Street, Chicago, Illinois 60601.

Very truly yours,



E. V. Klassen, Technical Secretary

ES:glw

Encls. - Resolution (6); Letter October 16, 1969 (1)

- cc: - Attorney General/Springfield
- Attorney General/Chicago - Attn: Mr. Henry H. Caldwell
- SWB/Chicago
- ✓ BSFC
- DSE-Legal